

REMARKS

The Official Action of May 15, 2006, and the prior art cited and relied upon therein have been carefully studied. The claims in the application remain claims 1-26, and these claims define patentable subject matter warranting their allowance. Favorable reconsideration and such allowance are respectfully urged.

Claims 1-26 remain in the application for consideration. Applicant notes that the claims have been amended for clarity and that no new matter has been added.

The Examiner has rejected claims 1-26 under 35 U.S.C. §103(a) as being unpatentable over Rosser '933 in view of Kirschner '095. Applicant respectfully traverses this rejection as applied to the claims as amended.

The Examiner maintains that Rosser discloses an image synthesizer for inserting scores of a game onto the video image, and that Kirschner discloses a controller for coloring alpha-numeric information displayed on the screen, such as game score information (col. 5, lines 23-53). The Examiner further maintains that the controller is "user manipulable and that the score can be changed" as a matter of "design choice", and therefore it would have been obvious to anyone ordinarily

skilled in the art as the Applicant at the time of the invention was made to include the chroma controller of Kirschner Int. Rosser to pertain well-known functions claims. Applicant does not agree.

Applicant has already noted in the Background of the Invention section of the specification that incorporating score indications to televise events has been very well known for many years, as readily arises from the Description with reference to prior art Fig. 1 (see for example page 2 lines 5 to 8).

Applicant acknowledges that the concept of color TV and the ability to manipulate colors of image has been known for decades. Accordingly, the teachings (of Rosser) for injecting score indicators and (of Kirschner) to provide a controller for modifying colors is well within the known art.

Despite the fact that these concepts have been known *per se* for decades, (e.g. Kirschner since 1979) and Rosser (since 1993), and have been already used for numerous applications, (e.g. televising events, computer and other games, etc.) the prior art fails to teach a concrete method of providing visual association between score indication portions and the respective parties in a televised game event.

This well-known problem is exemplified e.g. on page 2 lines 3 to 27 of the specification. In accordance with the

invention, to solve the problem it is suggested to color the score indication portion that corresponds to at least one given party in a way which facilitates visual association of the score portion with the respective party. The manner of doing so may be by using, amongst others, e.g. the known *per se* means, such as the controller taught by Kirschner.

The Examiner maintained that "the controller is user manipulable, the core color can be changed to any desired color, such as the color of a sport team uniform".

The proposed controller is a general-purpose controller which can color any item in any desired color(s). Despite the existence of this particular controller 23 years before the date of the invention, the particular use, which solves the specified problem (which, in turn, has also existed for decades) was *not offered* until the date of the invention.

Applicant maintains that a general-purpose processor "which (obviously) is user-manipulable" cannot prevent patenting a new computer algorithm implemented on the processor (which of course "can be" modified to implement the specific algorithm), since otherwise all computer program products would inherently be barred from patent protection regardless of how innovative they are. By analogy, the controller which "can" color anything in "any color", cannot prevent the proposed new method of using

such a controller, i.e. coloring a score indication portion to correspond to a uniform of a party, and thereby solving this long-standing problem.

In light of the foregoing discussion, Applicant kindly requests withdrawal of the rejection against the independent claims and the claims dependent therefrom.


Acknowledgement by the PTO of the receipt of applicants' papers filed under Section 119 is noted.

The prior art documents made of record and not relied upon have been noted along with the implication that such documents are deemed by the PTO to be insufficiently pertinent to warrant their applications against any of applicant's claims.

Favorable reconsideration and allowance are earnestly solicited.

Respectfully submitted,

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